



Appeal No.: 2006-1057

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Armando R. Lopez
Serial No.: 10/051,994
Filed: January 22, 2002
For: SKIN PROTECTIVE COMPOSITIONS
Appeal No.: 2006-1057

Board of Patent Appeals and Interferences
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NEW GROUND OF REJECTION

In the Board of Patent Appeals and Interferences Decision on Appeal dated September 14, 2006, the Board stated that they affirmed the rejection of claims 1-4, 6-12 and 18 under 35 U.S.C. 103(a) over Noll in view of Guck as evidenced by McAtee as well as the rejection of claim 13 in further view of Kelly, noting that "as our analysis varies from that of the Examiner, we designate our decision on this appeal as a new ground of rejection."

Grounds of Rejection

Claims 1-4, 6-12 and 18 have been rejected (35 U.S.C. 103(a)) over Noll in view of Guck as evidenced by McAtee. Claim 13 is also rejected over these references in further view of Kelly.

The prior art references cited by the Examiner are: